

20. (New) A transaction validation system for auditing according to claim 16, wherein the transaction is completed after correspondence is provided between at least one of the levels of authorization and the requested transaction.

21. (New) A transaction validation system for auditing according to claim 16, wherein the authorized profile list criterion includes a plurality of attributes associated with the authorized user submitting the business transaction.

22. (New) A transaction validation system for auditing according to claim 1, wherein the authorized profile list criterion includes a plurality of attributes associated with the authorized user submitting the business transaction.

#### Remarks

Favorable reconsideration of this application is requested in view of the following remarks. For the reasons set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

The Office Action dated July 17, 2002, indicated that claims 1-15 stand rejected under §102(b) as being anticipated by *Kravitz* (U.S. Pat. No. 6,029,150).

Please note that Applicant has enclosed Revocation and Power of Attorney and Change of Address documents for this application. Also enclosed are a Petition for Extension of Time and an Information Disclosure Statement with a Form 1449..

Applicant respectfully traverses the §102 rejections as the cited '150 reference does not teach or disclose all aspects of the claimed invention. Each of Applicant's claims 1, 3, 5, 7, 9 and 13 (and their respective dependent claims) is directed to a transaction-validation system that includes, *inter alia*, "an authorized profile list criterion that includes information about authorized users empowered to authorize payment by the vendor." Among others, two important and perhaps overlooked aspects of the rejected claims pertain to the above-quoted terms "profile" and "about authorized users."

The '150 reference does not include anything that resembles storage or use of such "profile" data "about authorized users"; rather, as acknowledged in the Office Action, the '150 reference involves use of a private key that is "used by the customer to

generate digital signatures” for providing verified customer identification (Column 23, lines 1-2). The digital signatures of the ‘150 reference do not in any way correspond to Applicant’s claimed “profile” directed limitations, as this “profile” term is used generally and in the context of Applicant’s Specification.

As used generally, the Merriam-Webster dictionary, for example, defines “profile” as: “a set of data often in graphic form portraying the significant features of something, especially: a graph representing the extent to which an individual exhibits traits or abilities as determined by tests or ratings.” See “www.m-w.com.” Thus, the dictionary definition of “profile” refers to an individual who is already identified. In contrast, the ‘150 reference uses a digital private key that includes no information other than data used to identify the customer; with respect to the identified customer, the ‘150 reference makes no reference whatsoever to a profile (*i.e.*, trait or ability) of the identified customer. Thus, considering “profile” as a commonly-used term, the ‘150 reference does not teach any such “profile” data and, more specifically, does not teach Applicant’s claimed invention including the limitations directed to such “profile” data.

As used in the context of the claimed invention, Applicant’s Specification uses the term “profile” to characterize a trait or ability of the already-identified customer entity (*e.g.*, shipper, carrier, shipper/carrier and/or shipper access terminal). Claim 1, for example, recites “an authorized profile list criterion that includes information about authorized users empowered to authorize payment by the vendor.” In this context, the profile data is not identification data but is rather information “about” already-identified users who have been “empowered to authorize payment by the vendor.”

More specifically, the Specification uses the terms as follows: “shipper profile” to characterize “information regarding the shipper and the shipment” with example types of such information being shown in Table 2 (page 17, lines 14-15); “carrier profile” to characterize “information regarding the carrier and the shipment transaction” with example types of such information being shown in Table 3 (page 18, lines immediately following Table 2); “shipper/carrier profile” to characterize “information regarding valid shipper carrier combinations” with example types of such information being shown in Table 4 (page 20, lines 1-2); and “shipper access terminal profile” to characterize the

shipping dock for an authorized shipper which has a separate “shipper access terminal profile” for each dock (*see*, Table 5 and page 21, lines immediately following Table 4).

In a more specific embodiment, the system uses a rule-based approach to process shipper and/or carrier access by using the profile lists at different levels of the transaction. Figure 10 of the instant specification and the corresponding discussion at page 35 teaches such an approach with five levels. The profiles involved range from a company profile to a system administration profile to operational and specific user profiles. Further, the specific operational profiles fall into five categories including: approval policies to define the monetary limits for each particular approver of bills, floor limits to define any rule for automatic approval of bills, G/L charts of accounts that are used in the process of allocating freight expenses to particular accounts within the company’s general ledger system, operational filters to define characteristics of the rights of each user of the system within the company, and data filters that define business rules that are used to limit the transactions such a user can see.

Considering now the term “profile” as either commonly-used or specifically used in example embodiments of Applicant’s Specification, the identity-directed ‘150 reference does not teach Applicant’s claimed invention, taken “as a whole,” including the limitations directed to such “profile” data.

Applicant further submits that the Office Action does not show proper correspondence between the cited ‘150 reference and the instant application. The M.P.E.P. requires that that the claims be interpreted in view of the specification, “Definiteness of claim language must be analyzed, not in a vacuum, but in light of (a) the content of the particular application disclosure . . . .” M.P.E.P. §2173.02. As discussed above, Applicant’s invention is clearly distinguishable from the identity-providing electronic signatures of the ‘150 reference using either a generic definition of the claim language or, more appropriately, using the claim language in the context of Applicant’s Specification.

With respect to the cited ‘150 reference and claims 14 and 15, Applicant respectfully submits that the §102 rejection should fail because the reference does not teach or disclose all aspects of the claimed invention. Each of Applicant’s claims 14 and 15 is directed to a billing transaction between a vendor and subvendor with particular

aspects limiting the invention to such context. The Office Action and/or cited reference fails to provide correspondence to this claimed billing transaction involving the vendor and subvendor. For instance, the citation to the figures, the summary and column 11 in the '150 reference failed to correspond to Applicant's claimed aspects concerning "indicating when payment to the service provider and subvendor should be tendered." Without such correspondence, there is no *prima facie* correspondence to the claimed invention, and Applicant submits that the rejection should be withdrawn.

Applicant submits that the Office Action has failed to present evidence of correspondence between the claimed invention, including all claim limitations, and the '150 reference. As such, a *prima facie* case of anticipation has not been made and Applicant requests that the §102(b) rejection be withdrawn.

The above discussion presented in connection with the cited prior art merely sets forth reasons as to why the rationale presented in the Office Action fails to align and correspond the cited prior art with the invention as claimed. No amendments were made to the claims with respect to this reference and it is believed that, after a careful review of the cited art, no arguments should be required to explain why the cited art is significantly different from the claimed invention. New claims 16-22 merely manifest Applicant's "long-accepted right to press alternative claims covering different aspects of ... [Applicant's disclosed] invention." *Amgen, Inc. v. Hoechst Marion Roussel*, 126 F. Supp.2d 69 (D. Mass. 2001). Applicant respectfully submits that, by way of this Office Action Response, there is no intention to narrow, nor has the Applicant narrowed, the breadth of the claims as originally filed through the explanatory comments provided herein.

Please charge **Deposit Account No. 50-0996 (USBA.004PA)** in the amount of \$120 for the additional claims (\$84.00 for one additional independent claim plus \$36 for two claims beyond twenty) and charge/credit the same Deposit Account No. for any deficiency/surplus.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any

remaining issues that could be readily addressed over the telephone, the Examiner is encouraged to contact the undersigned at (651) 686-6633.

Respectfully submitted,

CRAWFORD MAUNU PLLC  
1270 Northland Drive, Suite 390  
St. Paul, MN 55120  
651/686-6633

Dated: November 18, 2002

By: 

Robert J. Crawford  
Reg. No. 32,122

### **Specification Changes for S/N 09/527,717**

Please make the following changes to the paragraph found at page 1, lines 7-16 of the instant specification.

[The instant application] This patent document is a continuation-in-part of U.S. Patent Application Serial No. 60/124,124 filed on March 12, 1999 entitled "Shipment Transaction System And An Arrangement Thereof", which is a continuation-in-part of U.S. Patent Application Serial No. 08/748,243 (now U.S. Patent No. 5,910,896), filed November 4, 1996, with the same title (USBA.02PA), both of which are incorporated herein by reference. [The instant application] This patent document is also [related to] a continuation-in-part of U.S. Patent Application Serial No. 09/259,657, filed February 26, 1999, entitled "Shipment Transaction System and Method" (USBA.02C1), which is a continuation of the above application leading to U.S. Patent No. 5,910,896. This patent document is also [and] related to and incorporates U. S. Patent Application Serial No. 09/310,711, filed May 12, 1999, with the same title, [both of] which [are] is a continuation [continuations] of U.S. Patent Application Serial No. 08/748,243[ and are incorporated herein by reference].